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SCHEDULE FOR THE NOMINATION AND ELECTION OF THE MEMBERS OF THE COMMISSION ON THE LIMITS OF THE CONTINENTAL SHELF

Note by the Secretariat

1. In accordance with article 76 of the United Nations Convention on the Law of the Sea, the Commission on the Limits of the Continental Shelf shall be established in conformity with Annex II of the Convention. The Commission consists of 21 members, serving in their personal capacities, who shall be experts in the field of geology, geophysics or hydrography, elected by States Parties to the Convention from among their nationals, having due regard to the need to ensure geographical representation. 1/ The functions of the Commission shall be:

(a) To consider the data and other material submitted by coastal States concerning the outer limits of the continental shelf in areas where those limits extend beyond 200 nautical miles, and to make recommendations in accordance with article 76 and the Statement of Understanding 2/ adopted on 29 August 1980 by the Third United Nations Convention on the Law of the Sea;

(b) To provide scientific and technical advice, if requested by the coastal State concerned during the preparation of such data. 3/

2. The members of the Commission are to be elected at the Meeting of States Parties convened by the Secretary-General at United Nations Headquarters. According to article 2 (2) of Annex II of the Convention, the first election was to be held within 18 months after the date of its entry into force, i.e., before 16 May 1996, and the Secretariat had proposed a schedule for nomination and election on that basis. 4/

3. However, at the Third Meeting of the States Parties, held in New York from 27 November to 1 December 1995, it was agreed that the election of the members of the Commission would be postponed until March 1997. 5/

4. In view of the above, the Secretary-General suggests the revised schedule for nomination and election of the members of the Commission as follows:

(a) The first election of the 21 members of the Commission would be held at the Meeting of States Parties which is scheduled to be convened in March 1997. Since no decision has been taken concerning the precise date of election, it is proposed that Monday, 3 March 1997, the earliest possible date for election within the planned meeting, be used for purposes of computing the timing for notifications inviting submission of nominations;

(b) The nomination of candidates would open on 3 November 1996. A State in the process of becoming a Party to the Convention may also nominate a candidate. The nomination by such a State would remain provisional and would not be included in the list mentioned in (d) below unless the State concerned had deposited its instrument of ratification or accession before 3 February 1997;

(c) The nominations would close on 3 February 1997;

(d) The list of all persons thus nominated would be circulated to all the States Parties by the Secretary-General on 14 February 1997.

5. It should be noted that the submission of nominations should be made after appropriate regional consultations, and not less than three members shall be elected from each geographical region. 6/

6. Finally, the State Party which submitted the nomination of a member of the Commission shall defray the expenses of that member while in the performance of duties of the Commission. However, the coastal State concerned shall defray the expenses incurred in respect of the advice referred to in paragraph 1 (b) above. The secretariat of the Commission shall be provided by the Secretary-General of the United Nations. 7/

Notes

1/ United Nations Convention on the Law of the Sea, Annex II, article 2 (1).

2/ Final Act of the Third United Nations Conference on the Law of the Sea, annex II (United Nations publication, Sales No. E.83.V.5).

3/ Convention, Annex II, article 3 (1).

4/ See SPLOS/CRP.2.

5/ SPLOS/5, para. 20.

6/ Convention, Annex II, article 2 (3).

7/ Ibid., article 2 (5).